

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND

RICHARD J. SILVERSTEIN, et al. *

Plaintiffs *

vs. * CIVIL ACTION NO. MJG-12-2430

WESTFAX, INC., et al. *

Defendants *

* * * * *

MEMORANDUM AND ORDER RE: CONFERENCE

The Court has before it Plaintiffs' Objection to Appearance of Non-Admitted Attorney [in telephone conference] [Document 72] and the materials submitted relating thereto. There is no need for a hearing.

There was no improper ex parte communication when counsel for Plaintiff called my law clerk to ask whether Mr. Hayes could call in to hear the telephone conference. There was no substantive discussion.

As to Mr. Hayes, there is no problem with his being able to hear the telephone conference as a party's corporate representative. The telephone conference is not a sealed proceeding. Whether he would be physically present in defense counsel's office, patched in by defense counsel or made his own call, is immaterial. He will not be acting as an attorney at

present. Should he seek to enter his appearance as counsel, any issues that may be raised will be considered in due course.

Accordingly:

1. Plaintiffs' Objection to Appearance of Non-Admitted Attorney [in telephone conference] [Document 72] is DENIED.
2. Mr. William Hayes may, as a party (corporate representative) listen to the telephone conference proceedings.

SO ORDERED, on Monday, January 14, 2013.

/s/

Marvin J. Garbis
United States District Judge